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September 12, 2008

Mr. Chad A. Stobbe  
Land Quality Bureau  
Iowa Department of Natural Resources  
Wallace State Office Building  
502 East 9<sup>th</sup> Street  
Des Moines, Iowa 50319-0034

Re: Iowa Administrative Code (IAC) 567 Chapter 108  
Iowa Stakeholders

Dear Mr. Stobbe:

Thank you for the opportunity to comment on the proposed changes to IAC 567 Chapter 108.

Dexter Foundry, Inc., located in Fairfield, Iowa, produces grey and ductile iron castings and employs approximately 250 people. With the economic conditions affecting our businesses, the cost required by the proposed amendment would cause an undue hardship on not only Dexter, but all foundries in Iowa.

In discussions at the 2008 American Foundry Society Environmental Health & Safety Conference during August there were many concerns by those in attendance that the State of Iowa Department of Natural Resources was moving backward instead of forward on foundry sand environmental issues.

Presentations by Peter Grevatt, US EPA, and Elizabeth Olenbush, FIRST, on Foundry Sand Beneficial Use provided an update on research completed on Spent Foundry Sand (SFS). The information presented included Evaluating Risk-Based Pathways for Beneficial Use of SFS presented by The Ohio State University and the USDA ARS at the US EPA Beneficial Use Summit April 1, 2008. In addition, information from the Foundry Sand Use in Soil Applications Workshop, Ohio State University, USEPA Region V, USDA ARS, and FIRST from July 23, 2008 was provided. According to the research completed, properly handled SFS causes no harm to the environment and has a beneficial use as a component in soil blends. Attached are slide presentations from several meetings. The US EPA should be providing a statement this fall in support of the use of SFS in soils.

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Mr. Chad A. Stobbe  
Iowa Administrative Code (IAC) 567 Chapter 108  
Page Two

In the past, Dexter Foundry, Inc. has tested SFS and has been approved for Beneficial Use. At the current time we are using our SFS for filling and landscaping of our property and would like to continue with further berms and landscaping for site improvement and to control particulate emissions from our property. We are greatly concerned with the direction the IDNR is moving with this new amendment. If indeed the proposed amendment changes our projects to "fill projects" permitted under "sanitary landfill rules", a significant new burden would needlessly be put upon our already struggling company.

Sanitary landfills have many expensive requirements including soil borings, hydro-geologic investigation, monitoring wells, reporting, closure and post-closure plans, and operator certification just to name a few. Another option would be hauling the SFS to a landfill. This would not be a sound environmental or financial decision. Trucks hauling 2,000 loads of sand and filling the area sanitary landfill would be cost prohibitive and would create an unnecessary need for more sanitary landfills.

If it is necessary to remove fill projects from Chapter 108, there should be a new section de-regulating SFS that has passed testing for Beneficial Use where there can be accumulation and fill as long as there is a Sand Management Plan. Hopefully, because of the testing and analysis that has taken place, markets for the reuse of SFS will open and expand in the near future.

In addition, the list of uses for Beneficial Use SFS should be expanded; not diminished as in the proposed amendment. For example, in Chapter 567-108.2(2) land application could be very beneficial as a component in soil blends. The USDA has shown opportunities of 500 M tons per year of SFS. The uses include agricultural and horticultural needs and even remediation to protect surface and groundwater quality. Composting as in Chapter 567-108.2(4) could ultimately be land application. Also, beneficial use could be added to Chapter 108-4(4) for use as landscaping, excavation or grading, or other suitable purpose. Expanding the possibilities of use will encourage the beneficial use of SFS and reduce or eliminate the need for disposal in a sanitary landfill.

Please follow the lead of the USDA ARS and the US EPA in recognizing the value of SFS and provide a means for businesses to easily recycle this product without unnecessary and overly burdensome regulations and resultant costs.

We appreciate the opportunity to comment on this amendment. If you have any questions or would like to discuss this issue, please feel free to contact me.

Sincerely,



Julie M Christensen  
Environmental & Safety Manager  
641 472-7078, ext. 367  
[jchristensen@dexter.com](mailto:jchristensen@dexter.com)

Attachments